

CITY OF SALINA, KANSAS
REGULAR MEETING OF THE BOARD OF COMMISSIONERS
August 6, 2007
4:00 p.m.

The City Commission convened at 2:30 p.m. in a Budget Study Session. The Regular Meeting of the Board of Commissioners was called to order at 4:00 p.m. in Room 107, City-County Building. A roll call was taken followed by the Pledge of Allegiance and a moment of silence.

There were present:

Mayor Alan E. Jilka, Chairman presiding
Commissioner Luci Larson
Commissioner Aaron Peck
Commissioner R. Abner Perney
Commissioner John K. Vanier II

comprising a quorum of the Board, also present:

Jason A. Gage, City Manager
Greg Bengtson, City Attorney
Penny Day, Deputy City Clerk

Absent: None

CITIZEN FORUM

Bob Homolka, 515 W. Beloit, expressed his desire for the replacement of the members of the Salina Housing Authority due to the events that have taken place over the last year.

Frank McBride, 104 West Lake Dr., spoke regarding the recycling of aluminum cans and plastic bottles. He also shared some research that he had done regarding the amount of energy saved by recycling. He would like to see some type of containers placed around the City to help promote recycling.

AWARDS - PROCLAMATIONS

(4.1) The week of August 5 – 11, 2007 as “National Health Center Week” in the city of Salina. Anne Jung, Community Liaison, read the proclamation and announced upcoming events.

PUBLIC HEARINGS AND ITEMS SCHEDULED FOR A CERTAIN TIME

None.

CONSENT AGENDA

(6.1) Approve the minutes of July 23, 2007.

(6.2) Authorize purchase of a sanitation truck from Downing Sales & Service in the amount of \$133,846.

(6.3) Award contract for the 2007 Arterial Street Sidewalk Improvements, Project No. 07-1624 to Davis Concrete Construction for \$63,717.75.

(6.4) Approve an agreement for a Water and Wastewater Rate Study with Wilson & Company, Inc. in the amount of \$27,000.

(6.5) Award contract to replace the Downtown Arcade Roof, Project No. 07-2632 to S & S Contracting in the amount of \$15,400.

(6.6) Resolution No. 07-6420 authorizing an agreement with Unified School District No. 305 relating to School Resource Officer Program.

Mayor Jilka requested that Item 6.3 be removed from the consent agenda.

07-7669 Moved by Commissioner Perney, seconded by Commissioner Vanier, to approve the consent agenda as presented with the exception of Item 6.3. Aye: (5). Nay: (0). Motion carried.

Mayor Jilka questioned the status of the Wayne Avenue portion of the project. Karlton Place, City Engineer, responded.

Mary Anne Simmons, 2088 Simmons, questioned why the city thinks the students will use the sidewalk now when they haven't for the last 47 years that she has lived there. Also why the sidewalk isn't extended on Leslie Ave. to Ninth Street.

Elliott Harris, 2089 Highland Ave, questioned if the sidewalk would be offset to avoid the utility poles on the North side of the street, he also stated that they did not receive any notice of this meeting.

Mr. Place addressed who the notices were sent to, what is prompting the need for the new sidewalk to be created in this area, and also the placement of the sidewalk on the North side of the street.

07-7670 Moved by Commissioner Vanier, seconded by Commissioner Perney, to postpone Item 6.3 of the consent agenda for one week. Aye: (5). Nay: (0). Motion carried.

DEVELOPMENT BUSINESS

(7.1) First reading Ordinance No. 07-10401 amending Article VI, District Regulations, Division 18, 19 and 20 relating to permitted and conditional uses and development limitations in the I-1 (Industrial Park), I-2 (Light Industrial) and I-3 (Heavy Industrial) districts.

Dean Andrew, Director of Planning and Community Development, explained the proposed text amendments, how the applications will be handled in the future, and the Planning Commissions recommendation. He also noted that the new amendments will address several environmental issues.

Commissioner Perney questioned if these types of uses would be conditional uses only,

and would not be allowed by a special type of zoning, Dean responded.

Mayor Jilka stated that he likes the idea of using the comprehensive plan process to identify any potential prohibited areas.

07-7671 Moved by Commissioner Larson, seconded by Commissioner Perney, to pass Ordinance No. 07-10401 on first reading amending Article VI District Regulations, Division 18, 19 and 20 relating to permitted and conditional uses and development limitations in the I-1 (Industrial Park), I-2 (Light Industrial) and I-3 (Heavy Industrial) districts. Aye: (5). Nay: (0). Motion carried.

ADMINISTRATION

(8.1) Second reading Ordinance No. 07-10400 vacating a temporary drainage easement located on Lot 1, Block 1 of the Bergkamp Subdivision.

Mayor Jilka reported that Ordinance No. 07-10400 was passed on first reading on July 23, 2007 and since that time no comments have been received.

07-7672 Moved by Commissioner Vanier, seconded by Commissioner Peck, to adopt Ordinance No. 07-10400 on second reading. A roll call was taken. Aye: (5) Larson, Peck, Perney, Vanier, Jilka. Nay: (0). Motion carried.

(8.2) First reading Ordinance No. 07-10403 attesting to the possible increase in taxes levied for budget year 2008 necessary to finance public services.

Rod Franz, Director of Finance, explained the ordinance.

Mayor Jilka questioned if this related directly to the study sessions that the Commission has recently held, Mr. Franz responded.

07-7673 Moved by Commissioner Vanier, seconded by Commissioner Peck, to approve Ordinance No. 07-10403 attesting to the possible increase in taxes levied for budget year 2008 necessary to finance public services on first reading. Aye: (5). Nay: (0). Motion carried.

(8.3) First reading Ordinance No. 07-10404 adopting the 2008 budget.

Rod Franz, Director of Finance, explained the ordinance.

07-7674 Moved by Commissioner Vanier, seconded by Commissioner Peck, to approve Ordinance No. 07-10404 adopting the 2008 budget on first reading. Aye: (5). Nay: (0). Motion carried.

(8.4) Resolution No. 07-6417 authorizing an agreement with Sean M. Herrington, MD to provide emergency medical services.

Larry Mulliken, Fire Chief, explained that the current Medical Director for the City of Salina, Dr. Schmidt, is retiring, and the process that they used to select this applicant.

Commissioner Larson questioned what would happen if Dr. Herrington was to be deployed again, and also what happens in the absence of our Medical Director, Marvin VanBlaricon responded.

07-7675 Moved by Commissioner Vanier, seconded by Commissioner Peck, to approve Resolution No. 07-6417 authorizing an agreement with Sean H. Herrington, MD to provide emergency medical services in the amount of \$20,000 per year. Aye: (5). Nay: (0). Motion carried.

(8.5) Resolution No. 07-6418 authorizing a license agreement with Airliner Motel to allow private use of a public right-of-way, adjoining their property located at the intersection of the Woodland Avenue, North Eleventh Street and Broadway Boulevard.

Dean Andrew, Director of Planning and Community Development, explained that this request is a result of the realignment of Broadway Boulevard due to the North Broadway project. He also explained the proposed options.

07-7676 Moved by Commissioner Vanier, seconded by Commissioner Peck, to approve Resolution No. 07-6418 authorizing the private use of the public right-of-way located at the intersection of the Woodland Avenue, North Eleventh Street and Broadway Boulevard. Aye: (5). Nay: (0). Motion carried.

(8.6) Consideration of incentive request from Premier Pneumatics, Inc. to fund job related training.

Jason Gage, City Manager, explained the request, and the Salina Economic Development Incentive Council's recommendation.

Commissioner Vanier questioned how the money is spent, Mr. Gage responded.

Commissioner Larson questioned how often we receive this type of request, Mr. Gage responded.

Mr. Gage then responded to Commissioner Peck's question if the Economic Incentive Plan was actually created to do this type of training.

Commissioner Vanier asked if there is any restrictions on how long these employees are required to stay and work in Salina.

Mr. Gage questioned what type of term the commission would like to see used as an employment restriction period.

Commission Vanier stated that he felt this is something that the council should look at in the future, and if he was to make a recommendation it would be two (2) years.

07-7677 Moved by Commissioner Vanier, seconded by Commissioner Perney, to approve the incentive request from Premier Pneumatics, Inc. to provide job training, in an amount not to exceed \$24,000. Aye: (4). Nay: (1) Peck. Motion carried.

- (8.7) Approval of Change Order No. 1 for the Railroad Crossing Removal, Project No. 06-1603.
Karlton Place, City Engineer explained the change order, and the status of the project.

07-7678 Moved by Commissioner Perney, seconded by Commissioner Larson, to approve Change Order No. 1 for the Railroad Crossing Removal, Project No. 06-1603 in the amount of \$10,302.90. Aye: (5). Nay: (0). Motion carried.

- (8.8) Resolution No. 07-6419 amending Article III of the Comprehensive Fee Schedule by amending building permit fees.

Mike Roberts, Building Official, explained the proposed changes, and the Building Advisory Board's recommendation.

Commissioner Larson questioned what the different construction codes are, Mr. Roberts responded.

07-7679 Moved by Commissioner Vanier, seconded by Commissioner Peck, to approve Resolution No. 07-6419 amending Article III of the Comprehensive Fee Schedule by amending the building permit fees with an implementation date of January 1, 2008. Aye: (5). Nay: (0). Motion carried.

- (8.9) Request for executive session (legal and real estate).

07-7680 Moved by Commissioner Perney, seconded by Commissioner Peck, to recess into executive session for 20 minutes to discuss preliminary matters pertaining to the acquisition of real estate and matter subject to the attorney-client privilege for the reason that public discussion of the matter would adversely affect the City's position in relation to acquisition of the real estate and would waive the attorney-client privilege and reconvene in this room at 5:47 p.m. Aye: (5). Nay: (0). Motion carried.

The City Commission recessed into executive session at 5:27 p.m.

Greg Bengtson, City Attorney, requested an additional 15 minutes.

The City Commission reconvened at 6:14 p.m. No action was taken.

OTHER BUSINESS

None.

ADJOURNMENT

07-7681 Moved by Commissioner Vanier, seconded by Commissioner Peck, that the Regular Meeting of the Board of Commissioners be adjourned. Aye: (5). Nay: (0). Motion carried. The meeting adjourned at 6:15 p.m.

Alan E. Jilka, Mayor

[SEAL]

ATTEST:

Lieu Ann Elsey, City Clerk